

**SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF NEW YORK**

**DISCOVER PROPERTY & CASUALTY  
COMPANY, et al.,**

**Plaintiffs,**

**v.**

**NATIONAL FOOTBALL LEAGUE, et al.,**

**Defendants.**

**Index No. 652933/2012 E**

**NOTICE OF MOTION**

PLEASE TAKE NOTICE that, upon the affirmation of Matthew J. Aaronson, Esq. dated March 14, 2019 and the exhibits thereto; the accompanying Memorandum of Law, dated March 14, 2019; and all of the pleadings and proceedings heretofore had herein, the Insurer Defendants identified below will move this Court at the Motion Submission Part Courtroom (Room 130) of the Courthouse of the Supreme Court of the State of New York, County of New York, located at 60 Centre Street, New York, New York 10007, on April 5, 2019 at 9:30 a.m., or as soon thereafter as counsel may be heard, for an Order, pursuant to CPLR 3104(d) reviewing and modifying the Memorandum and Order, dated February 26, 2019 and issued on February 28, 2019 by Special Referee Dolinger, to direct the NFL Parties to (i) utilize the additional search terms requested by the Insurers and (ii) produce any and all indemnity agreements and any correspondence regarding the same between the NFL and 1) Manufacturer Entities and 2) any of its Member Clubs, together with such and other and further relief as the Court deems just and proper.

PLEASE TAKE FURTHER NOTICE that, pursuant to CPLR 2214(b), answering papers,

and any notice of cross-motion with supporting papers, if any, are required to be served upon the undersigned at least seven (7) days prior to the return date of the motion; and reply papers, if any, must be served upon all parties at least one (1) day before the return date of the motion.

Dated: New York, New York  
March 14, 2019

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*Attorneys for Defendants*  
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*Insurance Company*

And on behalf of: Discover Property & Casualty Insurance Company, St. Paul Protective Insurance Company, Travelers Casualty & Surety Company, Travelers Indemnity Company, Travelers Property Casualty Company of America, Continental Insurance Company, Continental Casualty Company, Allstate Insurance Company, solely as successor in interest to Northbrook Excess and Surplus Insurance Company, formerly Northbrook Insurance Company, Bedivere Insurance Company, ACE American Insurance Company, Century Indemnity Company, Indemnity Insurance Company of North America, California Union Insurance Company, Illinois Union Insurance Company, Westchester Fire Insurance Company, Federal Insurance Company, Great Northern Insurance Company, Vigilant Insurance Company, Munich Reinsurance America, Inc., XL Insurance America Inc., XL Select Insurance Company, American Guarantee and Liability Insurance Company, Arrowood Indemnity Company, and Westport Insurance Corporation.

TO: All Counsel of Record (via NYSCEF)